

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25217 of 2004

Between:

- 1 N. Ramesh Kumar, S/o Rangaiah,
19-400, Ammavarisala (St) Proddutur , Kadapah District.
- 2 G. Guru Bhaskar Reddy, S/o G. Urvi Reddy,
r/o 17-2-74, Potottipadu (St), Proddutur , Kadapah District.
- 3 K. Sreenivasulu, s/o Ramaiah,
R/o 8/478, Sivaji (St) Proddutur , Kadapah District.
- 4 P. Nagendra Prasad, S/o P. Narayana,
P. Venkatapuram (Village), Potladurthy (Post) Yerraguntala (M),
Kadapah District.
- 5 P.V. Rama Prasad, S/o Lakshmaiah,
Kalamalla (Po. & Village), Yerraguntal (M), Kadapa District.
- 6 V. Vijaya Bhaskar Reddy, S/o Pakeera Reddy,
Thimmapuram (Po & V), Kondapuram (M), Kadapa District.
- 7 P. Narayana, S/o Venkataiah, Yerraguntal , Kadapa District.
- 8 S. Subbarayudu, s/o Lakshminarayana, 5/3, Vijayanagaram (ST),
Proddutur - 516 360, Kadapa District.
- 9 V. Ramalinga Reddy, S/o Sivalinga Reddy, Thimmapuram, Kondapuram (M),
Kadapa District.
- 10 D. Sreenivasulu Reddy, S/o Narasimha Reddy, Lavanur (PO), Kondapuram
(M),
Kadapa District.
- 11 K. Subramanya, S/o Subbanarsimhulu, Kalamall, Yerraguntal (M), Kadapa
district.
- 12 B. Kiran Kumar Reddy, S/o Raghava Reddy, Mallela (PO & V) , Thondur (M),
Kadapa District.
- 13 C. Madan Gopal, S/o Gopal, Lawyers Colony, Chittoor (Town), Cuddapah
District.

- 14 G. Suresh Kumar Babu, S/o Jayaramulu, Tadipatri Town, Ananthapuram District.
- 15 S. Lakshmi Narayana, S/o Subbarayudu, Julepally (PO & V), Nandyal Mandal,
- Kurnool District.

..... PETITIONERS

AND

- 1 The Chief Engineer (O&M),R.T.P.P. A.P. Generation Corporation Ltd, V.V. Reddy Nagar, Cuddapah District.
- 2 A.P. Generation Corporation Ltd, rep. by its Chairman and Managing Director, Vidyut Soudha, Somajiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate Writ Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 1st Respondent in not disposing of the representation dt. 25--9-2002 followed by the reminders dt. 22-10-2003 and 20-5-2004 respectively seeking for absorption in the respondents Management on par with the similarly situated persons appointed as Assistant cook and cook respectively under Memo No. CE/O&M/RTPP/PO/F.P/D.No. 267/2001 dt. 27-1-2001 and Memo No. CE/E/O&M/RIPP/POF.P./D.No. 266/2001 dt. 27-1-2001 issued by the 1st respondent is as arbitrary, illegal and violative of Article 14, 16 and 21 of the constitution of India and consequently direct the 1st respondent to dispose of the representation dt. 25-9-2002 followed by the reminders dt. 22-10-2003 and 20-5-2004 in respect of the absorption of the petitioners in the employment of the respondents establishment.

Counsel for the Petitioner:MR.G.CHANDRAIAH

Counsel for the Respondent No.: SMT.K.SESHARAJYAM, STANDING COUNSEL FOR APGENCO.

The Court at the stage of admission, made the following :

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ORDER:

This writ petition is filed by the petitioner to issue a writ of mandamus declaring the action of the 1st respondent in not disposing of their representation dated 25.9.2002 as illegal and arbitrary and consequently to direct the 1st respondent to dispose of the same.

The petitioners seem to have worked as Assistant Cook and Cook respectively in the respondent organization for some time. For want of vacancies, they were terminated from service in the year 1997. Thereafter, the petitioners gave a representation to the respondents to consider their case in accordance with the Rules, but the same has not been considered.

The learned counsel for the petitioners contended that the representation of the petitioners in appointing the petitioners as Assistant Cook and Cook have not been considered, therefore, he prays to give a direction to the respondent organization.

On the other hand, the learned Standing Counsel appearing for the respondent organization contended that depending upon the vacancies, the case of the petitioners will have to be considered in accordance with the Rules and Regulations of the Corporation.

Therefore, without entering into the merits of the case, it is for the respondents to take appropriate decision with regard to the availability of the vacancies and also appointments to be made in accordance with the Rules and Regulations of the respondent-management.

Accordingly, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioners in any suitable post, in accordance with the Rules and Regulations of the Corporation, within a period of eight weeks from the date of receipt of a copy of this order.

No order as to costs.

31.12.2004

bsv

To

- 1 The Chief Engineer (O&M),R.T.P.P. A.P. Generation Corporation Ltd,
V.V. Reddy Nagar, Cuddapah District.
- 2 The Chairman and Managing Director, A.P. Generation Corporation Ltd,
Vidyut Soudha, Somajiguda, Hyderabad.

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